

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JANUARY 24, 2022.

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Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to modernizing the Massachusetts wiretap law (House, No. 4347), was filed in the office of the Clerk on Friday, January 21.

Wiretaps.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Judiciary. Sent to the Senate for concurrence.

Resolutions.

Resolutions (filed with the Clerk by Mr. Puppolo of Springfield) recognizing the week of January 23, 2022 as National Passenger Safety Week, were referred, under Rule 85, to the committee on Rules.

National
passenger
safety week.

Mr. Galvin of Canton, for the committee on Rules, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Puppolo, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Annual Report.

The annual report of the Public Employee Retirement Administration Commission (under sections 21, 102 and 103 of Chapter 32 of the General Laws) relative to the per centum change in the average cost-of-living as shown by the United States consumer price index for the year 2022 compared with such index for the year 2021 (House, No. 4346), was referred to the committee on Public Service. Sent to the Senate for concurrence.

Cost-of-living
adjustment,—
retirees.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Lewis of Framingham, a petition (accompanied by bill, House, No. 4352) of Jack Patrick Lewis and Maria Duaine Robinson (with the approval of the mayor and city council) that the city of Framingham be authorized to establish the

Framingham,—
economic
development.

Framingham economic development corporation. To the committee on Economic Development and Emerging Technologies.

By Mr. Cusack of Braintree, a petition (accompanied by bill, House, No. 4353) of Mark J. Cusack, Walter F. Timilty and John F. Keenan (with the approval of the mayor and town council) that the city known as the town of Braintree be authorized to designate polling places for each voting precinct in said city. To the committee on Election Laws.

Braintree,—
polling
places.

By Ms. Whipps of Athol, a petition (accompanied by bill, House, No. 4354) of Susannah M. Whipps (by vote of the town) that the town of Athol be authorized to regulate rents for the use or occupancy of manufactured housing parks in said town. To the committee on Housing.

Athol,—
housing
park rent.

By Mr. Hawkins of Attleboro, a petition (accompanied by bill, House, No. 4355) of James K. Hawkins, Adam J. Scanlon and Paul R. Feeney (with the approval of the mayor and city council) relative to providing for the laying out and acceptance of certain ways by the city of Attleboro. To the committee on Municipalities and Regional Government.

Attleboro,—
public ways.

By Representative Domb of Amherst and Senator Comerford, a joint petition (accompanied by bill, House, No. 4356) of Mindy Domb (by vote of the town) that the town of Amherst be authorized to continue the employment of Walter (Tim) Nelson as fire chief of said town notwithstanding the maximum age requirement. To the committee on Public Service.

Amherst,—
Walter
Nelson.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representatives Ferguson of Holden and Zlotnik of Gardner, a petition (subject to Joint Rule 12) of Kimberly N. Ferguson and Jonathan D. Zlotnik that the city of Fitchburg be authorized to transfer portions of certain parcels of land to the town of Westminster for permanent and temporary easements.

Fitchburg and
Westminster,—
land.

By Messrs. Vitolo of Brookline and Santiago of Boston, a petition (subject to Joint Rule 12) of Tommy Vitolo and Jon Santiago for legislation to extend remote representative town meetings.

Remote town
meetings.

Severally, under Rule 24, to the committee on Rules.

Paper from the Senate.

A petition of Sal N. DiDomenico for legislation to designate a certain playground on the Esplanade in the city of Boston as the Gronk Playground, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Environment, Natural Resources and Agriculture.

Boston,—
Gronk
playground.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2623) was referred, in concurrence, to the committee on Environment, Natural Resources and Agriculture.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Paul J. Donato, Steven Ultrino and Kate Lipper-Garabedian that the commissioner of the Division of Capital Asset Management and Maintenance be authorized to convey certain property in the city of Malden to said city. Under

Malden,—
land.

suspension of the rules, on motion of Mr. Ultrino of Malden, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the House Bill directing the city of Boston Police Department to waive the maximum age requirement for police officers for Daniel Flores (House, No. 4233) [Local Approval Received], be scheduled for consideration by the House.

Boston,—
Daniel
Flores.

Under suspension of Rule 7A, on motion of Mr. Wong of Saugus, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, that the recommitted Bill relative to educational collaboratives (House, No. 3200), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4350). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Educational
collaboratives.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on Senate, No. 2034 and House, No. 3112, a Bill relative to bidding for public construction contracts (House, No. 3112).

Public
construction,—
bidding.

By the same member, for the same committee, on a petition, a Bill relative to the Commission on the Status of Asian Americans and Pacific Islanders (House, No. 3116).

Asian Americans
and Pacific
Islanders.

By the same member, for the same committee, on House, Nos. 3138 and 3165, a Bill relative to the fair participation of minority and women-owned businesses on public construction projects (House, No. 3138).

Public
construction,—
participation.

By the same member, for the same committee, on a petition, a Bill relative to the definition of fraud in public construction bid laws (House, No. 3142).

Construction,—
bidding.

By the same member, for the same committee, on a petition, a Bill relative to the state property zoning exemption (House, No. 3175).

State property,—
zoning.

By Mr. Roy of Franklin, for the committee on Telecommunications, Utilities and Energy, on Senate, No. 2227 and House, Nos. 3294, 3302, 3310, 3313, 3328 and 4204, a Bill advancing offshore wind and clean energy (House, No. 4348) [Senator Tarr dissenting.]

Offshore wind
and clean energy.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Day of Stoneham, for the committee on the Judiciary, on a joint petition, a Bill establishing a sick leave bank for Charles H. Bletzer, an employee of the Massachusetts Trial Court (House, No. 4323).

Charles
Bletzer,—
sick leave.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on House, No. 17 and a part of House, No. 9, a Bill providing for statement of financial interests flexibility (House, No. 4349).

Financial
interests.

By Mr. Roy of Franklin, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill supporting safe excavation practices (House, No. 3297).

Excavation.

By the same member, for the same committee, on House, No. 3327, a Bill relative to municipal light plant participation in Green Communities (House, No. 4351).

Municipal
light plants.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

Engrossed bills

Defining a quorum of certain public bodies in the town of Monson (see Senate, No. 2610) (which originated in the Senate); and

Bills
enacted.

Relative to the election of town meeting members in the town of Arlington at the annual town election (see House, No. 3745);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill authorizing the town of Westport to convey a non-exclusive access easement in a portion of town property at 493 Old County road to benefit 497 Old County road (Senate, No. 1357), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Westport,—
land.

Pending the question on passing the bill to be engrossed, in concurrence, Ms. Garlick of Needham moved to amend it by striking out section 1 and inserting in place thereof the following section:

“SECTION 1. (a) Notwithstanding section 2 of chapter 171 of the acts of 1848 or any general or special law to the contrary, the town of Westport, acting by and through its board of selectmen, in consultation with the Westport landing commission, may convey to the owners of 497 Old County road, upon such terms and conditions as the board of selectmen, in consultation with the landing commission, deems appropriate, a non-exclusive easement in a certain portion of the property described in subsection (b) for purposes of providing access to the property located at 497 Old County road from the abutting public way, in common with the public’s right to make use of the town landing.

(b) The property on which the easement may be granted is known as the Westport town landing at the head of the Westport river and is located at 493 Old County road in the town of Westport, which was established pursuant to said chapter 171 of the acts of 1848. The property is more particularly described in an instrument recorded with the Bristol registry of deeds in book 21, page 373. The easement is shown as non-exclusive access easement on a plan entitled, ‘Easement Plan of Land in Westport, MA Prepared for Westport Landing Commission’, prepared by SITEC, Inc and dated October 1, 2017, which plan is on file with the town clerk.”.

The amendment was adopted; and the bill (Senate, No. 1357, amended), was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House.

Order.

On motion of Mr. Mariano of Quincy,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o’clock A.M.

Next
sitting.

At seven minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M., in an Informal Session.